

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHN RUFFINO and MARTHA RUFFINO,)	
Husband and Wife,)	
)	
Plaintiffs,)	Civil Action No.: 3:17-cv-00725
)	
v.)	Jury Demand
)	
DR. CLARK ARCHER and HCA HEALTH)	Judge Campbell
SERVICES OF TENNESSEE, INC. d/b/a)	Magistrate Judge Newbern
STONECREST MEDICAL CENTER,)	
)	
Defendants.)	

PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION IN LIMINE #1

The Plaintiff agrees that neither side should be permitted to elicit causation testimony from Dr. Pope at trial. The Plaintiffs previously agreed that Dr. Pope would not testify on the issue of causation (Dkt. 83 at 1). This Court thereafter acknowledged same (Dkt. 95 at 5) ("Plaintiffs agree that Dr. Pope cannot offer causation opinions.").

To the extent that the Motion seeks relief beyond excluding Dr. Pope's causation opinions, it should be denied, including because this Court already considered and rejected a *Daubert* challenge to Dr. Pope's standard of care opinions (Dkt. 95 at 4-5).

RESPECTFULLY SUBMITTED,

s/ Mark Hammervold

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CERTIFICATE OF SERVICE

I certify that I served all parties in this matter through counsel of record listed below with the foregoing by CM/ECF on December 21, 2018:

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